

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES AUSTIN, <i>pro se</i>)	CASE NO. 1:21-cv-00922
)	
Petitioner,)	JUDGE DAVID A. RUIZ
)	
v.)	
)	
WARDEN CHARMAINE BRACY,)	
)	
Respondent.)	
)	ORDER

In May of 2021, *pro se* Petitioner James Austin filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. (R. 1). He paid the \$5.00 filing fee. *Id.* Respondent filed a Return of Writ on October 6, 2021 (R. 11), and Petitioner filed a 109-page Traverse on March 3, 2022. (R. 20). On February 12, 2024, the assigned Magistrate Judge issued a Report and Recommendation recommending that the petition be denied. (R. 27).

On February 26, 2024, Petitioner filed a motion for a forty-five day extension of time (R. 28) to file objections to the Magistrate Judge's Report and Recommendation, which the Court granted.

On March 18, 2024, Petitioner filed a "Request for copy of Traverse to Return of Writ." (R. 30). Petitioner provides no explanation for why he does not possess a hard copy or electronic copy of his own Traverse. *Id.*¹ He indicates he is indigent and cannot afford the cost of copies. *Id.*

¹ The Court notes that the Traverse is not handwritten, but a typed, computer-processed document.

Petitioner's request is DENIED. To the extent that he is asking for copies of documents he has filed with this Court, he must pay for them. "[T]he law is settled that an inmate does not enjoy a federal constitutional right to unlimited free photocopying services." *Bell Bey v. Toombs*, 19 F.3d 1432 (6th Cir. 1994). "Plaintiff's indigence and his status as a prisoner do not entitle him to any special privileges in pursuing litigation." *Kerr v. Lenz*, No. 3:22-CV-1054, 2022 WL 3043019, at *1 (N.D. Ohio Aug. 2, 2022) (Helmick, J.) (collecting cases).

Although the Court recognizes that Petitioner is "an indigent prisoner proceeding *pro se*, he is not entitled to copies of his [filings] at the court's expense." *Id.* (citing *Hammock v. Rogers*, No. 1:17-CV-1939, 2019 WL 651602, at *2 (N.D. Ohio Feb. 15, 2019) (Parker, M.J.).

Petitioner may seek to obtain copies of any filing at his own expense through the Court's website.

IT IS SO ORDERED.

s/ *David A. Ruiz*

David A. Ruiz
United States District Judge

Date: April 15, 2024